

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
)
v.) No. 07 C 6661
) Chief Judge James F. Holderman
)
FRANK RODRIGUEZ)

GOVERNMENT'S MOTION FOR EXTENSION OF TIME

The United States, by and through PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, respectfully requests that the Court grant the United States an extension of time to file a response to the Motion to Vacate, Set Aside or Correct Sentence filed by Frank Rodriguez, stating as follows:

1. On November 27, 2007, Frank Rodriguez filed a Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255.
2. On November 29, 2007, the Court ordered that the government file a response to that motion on December 20, 2007. As a result of mistakes by undersigned counsel, the government did not realize that the Court had set a response date in this case. As a result, the government did not comply with the Court's deadline.
3. On January 7, 2008, government counsel was informed by this Court's law clerk about the government's failure to file a response. The government now asks for the Court to grant the government until January 14, 2008, to file a response. The additional time will allow the government to retrieve its files on the case from a storage facility and to obtain any transcripts that are needed to respond.

ACCORDINGLY, the government asks that the Court grant the government an extension of time until January 14, 2008, and to grant Frank Rodriguez an equivalent extension of time to file his reply.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

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CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that in accordance with FED. R. CIV. P. 5, LR5.5, and the General Order on Electronic Case Filing (ECF), the following document:

GOVERNMENT'S MOTION FOR EXTENSION OF TIME

was served pursuant to the district court's ECF system as to ECF filers, if any, and was sent by Federal Express on January 7, 2008, to the following non-ECF filer:

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